

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.
(1) STRYKER BIOTECH, LLC,
(2) MARK PHILIP,
(3) WILLIAM HEPNER,
(4) DAVID ARD, and
(5) JEFFREY WHITAKER,

Defendants.

No. 1:09-CR-10330-GAO

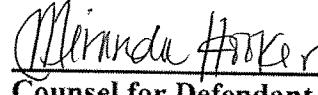
**WAIVER OF APPEARANCE FOR ARRAIGNMENT PURSUANT TO FEDERAL
RULE OF CRIMINAL PROCEDURE 10(b)**

I, David Ard, charged in a Superseding Indictment pending in the United States District Court for the District of Massachusetts, in violation of Title 18 U.S.C. § 2; 18 U.S.C. § 371; and 18 U.S.C. § 1343, do hereby waive (give up) my right to appear at an arraignment.

I acknowledge that I have received a copy of the Superseding Indictment and have instructed my attorney to enter a plea of not guilty on my behalf.

10/28/2011
Date


Defendant


Counsel for Defendant

The defendant's request to waive appearance at the arraignment is hereby
APPROVED.

Date

Judicial Officer

CERTIFICATE OF SERVICE

I, Miranda Hooker, hereby certify this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notification of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 28, 2011.

/s/ Miranda Hooker

Miranda Hooker